

REMARKS

Claims 1 to 6, 8 and 10 were pending in the application at the time of examination. Claims 1 to 6, 8 and 10 remain rejected as anticipated.

Claims 2, 4, and 5 are amended to correct an informality. In particular, "if" has been changed to "when." Applicants respectfully submit that this does not raise new issues or require a new search and simply recites the claim more positively.

Claims 1 to 6, and 8 have been amended to recite that the "service provider is capable of communicating directly with said authority." This amendment is supported at least by Fig. 7.

Claim 6 has also been amended to change "user-controlled secure storage device" to "user-controlled resource-constrained device." The description describes the secure storage device as resource-constrained devices such as smart cards. To avoid discussions on whether Applicants are asking the Examiner to read limitations from the specification into the claims, the amendment was made.

Claim 10 is cancelled.

Claims 1 to 6, 8 and 10 remain rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,453,353, hereinafter referred to as Win.

Applicants continue to respectfully traverse the anticipation rejection of Claim 1. First, Applicants note that to make a prima facie anticipation rejection, the MPEP directs:

TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." . . . < "The identical invention must be shown in as complete detail as is contained in the . . .

claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required.

MPEP § 2131, 8th Ed., Rev. 3, p. 2100-76 (August 2005). It is noted that this directive stated the claim element "must be" shown in as complete detail and arranged as required by the claim.

The rationale for the rejection stated:

The runtime module 206 connects to an access server 106 (i.e., authority) (figure 2) that can determine whether a particular user is authentic and which resources the user is authorized to access by using cookie to authenticate (see abstract). Therefore, Win does teach the step of server goes back to access server to authenticate upon receives that HTTP/URL request.

Applicants respectfully submit that the interpretation of the Abstract is not supported by Win and in fact is directly contradicted by Win.

Claim 1 recites:

using said enrollment results to obtain a service from a service provider on said data communications network

In both Figs. 3B and 3C of Win, step 312 is authenticate user. Win described step 312 as:

As shown by state 312, Runtime Module 206 calls the Authentication Verification Service to check whether an authenticated user is making the request. An authenticated user is one who has successfully logged into the system. A user is considered authenticated if the request contains a "user cookie" that can be decrypted, and the request's IP address matches that in the cookie. If the conditions are not satisfied, then the user cannot be authenticated, and as shown in state 314, Runtime Module 206 returns a redirection to the Login URL. As shown by state 316, HTTP

Server 202 returns the redirection to the Login URL to the browser 100.

Win, Col. 8, lines 24 to 35

Win expressly stated that module 206 "calls the Authentication Verification Service." The rejection appears to erroneously place this service on access server 106. This is incorrect. Win taught:

For example, the Runtime Module functions to provide a Remote Configuration Service, an Authentication Verification Service, and an Authorization Verification Service. Each service is structured as a C/C++ web server plug-in.

Win, Col. 7, lines 38 to 42. Thus, Win expressly taught that the Authentication Verification Service used in step 312 was a function provided by Runtime Module 206 itself. Accordingly, Win teaches that the Runtime Module 206 itself performs step 312. This fails to teach or even suggest that Runtime Module 206 connects to the access server as stated in the rejection.

Further, the Examiner's attention is called to Figs. 5A to 5D. None of these figures show access to protected server 104 by the access server, which is further evidence that the above interpretation of Win is not supported by Win.

Contrary to the statement in the rejection, as demonstrated above, Win fails to teach "said service provider capable of communicating directly with said authority to dynamically authenticate said enrollment results wherein said service provider is an entity that is different from an entity that is said authority." Since Win as quoted above taught that Runtime module 206 performed step 312, Win fails to teach the invention to the same level of detail as recited in Claim 1. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 1.

Claims 2, 3, 4, 5, and 8 include a limitation equivalent to that quoted above from Claim 1. Thus, the comments with respect to Claim 1 are applicable to each of Claims 2 to 5 and 8, and are incorporated herein by reference. Applicants request reconsideration and withdrawal of the anticipation rejection of each of Claims 2 to 5 and 8.

With respect to Claim 6, the rejection failed to cite any teaching of a resource constrained device in Win. The above comments with respect to Claim 1 are also applicable to Claim 6 and are incorporated herein by reference. Applicants request reconsideration and withdrawal of the anticipation rejection of Claim 6.

Claims 1 to 6, and 8 remain in the application. Claims 1 to 6, and 8 are amended. Claims 7, 9 and 10 have been cancelled. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 1, 2006.



Attorney for Applicant(s)

August 1, 2006  
Date of Signature

Respectfully submitted,



Forrest Gunnison  
Attorney for Applicant(s)  
Reg. No. 32,899  
Tel.: (831) 655-0880